

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

IN RE:)	
)	
LORENZO ROQUE DIONISIO and)	CASE NO.: 12-02557-JAF
JINGLE MALLARI DIONISIO,)	CHAPTER 13
)	
<u>Debtors.</u>)	

**ORDER GRANTING DEBTORS' MOTION TO DETERMINE SECURED STATUS OF
CLAIM SIX (6) OF NAVY FEDERAL CREDIT UNION AND TO STRIP LIEN
EFFECTIVE UPON DISCHARGE**

THIS CASE is before the Court on the Debtors' Motion to Determine Secured Status of the Homestead property mortgage held by Navy Federal Credit Union (Claim Six) and to Strip Lien (the "Motion") filed July 16, 2012 and said Creditor having failed to file a written response to the Motion in accordance with Rule 2002--4, Local Bankruptcy Rules, it is

ORDERED:

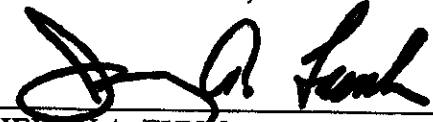
1. The Motion to Determine Secured Claim Status of Claim Six (6) is GRANTED pursuant to 11 U.S.C. §506(a) and the mortgage lien is voided pursuant to 11 U.S.C. §506(d).
2. The value of that portion of Claim Six (6) secured by Real Property (Homestead) is \$0.00. The balance of this claim shall be treated as unsecured.
3. The legal description of this property is as follows:

All that Parcel of land in Duval County, Duval County, State of Florida, as more fully described in Deed Book 11174, Page 358, being known and designated as RE:# 160993-0130, Lot 26, McCormick Woods, according to the Plat thereof as recorded in Plat Book 48, at Pages 14, 14A, 14B and 14C of the Public Records of Duval County, Florida.

By Fee Simple Deed from Kelvin Hamby and Glenda Hamby, Husband and Wife, as set forth in deed book 11174, Page 358 dated 05/09/2003 and recorded 06/25/2003, Duval County Records, State of Florida.

4. The mortgage held by Navy Federal Credit Union recorded on October 16, 2006 at OR Book 13583, Pages 173 through 178, Document No. 2006360271 of the official records of Duval County, Florida, shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in this Chapter 13 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Navy Federal Credit Union's lien prior to the entry of the Debtors' discharge. Further, if this case is converted to a case under Chapter 7, or if this Chapter 13 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 22 day of August 2012 at Jacksonville, Florida


JERRY A. FUNK
United States Bankruptcy Judge

Copies to:

Debtors, Lorenzo and Jingle Dionisio, 2702 McCormick Woods Drive, Jacksonville, FL 32225-5707

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Douglas W. Neway, Trustee, P.O. Box 4308, Jacksonville, FL 32201-4308

United States Trustee's Office, 175 West Central Blvd, Suite 620, Orlando, FL 32801-2476

Attorney for Creditor, Navy Federal Credit Union, Stephen Joseph Modric, Esquire,

Butler & Hosch, PA, 3185 South Conway Road, Orlando, FL 32812

Creditor, Navy Federal Credit Union, P.O. Box 23800, Merrifield, VA 22119

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
U.S. NO. 54 NO. 7618